

SB2589



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2589

Introduced 2/15/2008, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

35 ILCS 200/5-5

Amends the Property Tax Code concerning the board of review in Cook County. Increases the number of commissioners from 3 to 5. Provides that from 2010 to 2012, the 2 additional commissioners are elected at-large from the portion of the county outside of the City of Chicago, and beginning in 2012, each commissioner is elected from one of 5 election districts in the county. Requires the State Board of Elections to reapportion the 5 election districts on a decennial basis by the use of a computer program. Sets forth the requirements of the computer program. Effective immediately.

LRB095 19010 BDD 45183 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Section 5-5 as follows:

6 (35 ILCS 200/5-5)

7 Sec. 5-5. Election of commissioners of board of review;
8 counties of 3,000,000 or more. (a) In counties with
9 3,000,000 or more inhabitants, on the first Tuesday after the
10 first Monday in November 1994, 2 commissioners of the board of
11 appeals shall be elected to hold office from the first Monday
12 in December following their election and until the first Monday
13 in December 1998. In case of any vacancy, the chief judge of
14 the circuit court or any judge of that circuit designated by
15 the chief judge shall fill the vacancy by appointment. The
16 commissioners shall be electors in the particular county at the
17 time of their election or appointment and shall hold no other
18 lucrative public office or public employment. Each
19 commissioner shall receive compensation fixed by the county
20 board, which shall be paid out of the county treasury and which
21 shall not be changed during the term for which any commissioner
22 is elected or appointed. Effective the first Monday in December
23 1998, the board of appeals is abolished.

1 The board of appeals shall maintain sufficient evidentiary
2 records to support all decisions made by the board of appeals.
3 All records, data, sales/ratio studies, and other information
4 necessary for the board of review elected under subsection (c)
5 to perform its functions and duties shall be transferred by the
6 board of appeals to the board of review on the first Monday in
7 December 1998.

8 (b) (Blank).

9 (c) In each county with 3,000,000 or more inhabitants,
10 there is created a board of review. Beginning with the general
11 election in 2010 and until the term beginning after the general
12 election in 2012, the ~~The~~ board of review shall consist of 5 ~~3~~
13 commissioners as follows:

14 (1) one elected from each election district in the
15 county at the general election in 1998 to hold office for a
16 term beginning on the first Monday in December following
17 their election and until their respective successors are
18 elected and qualified ; and

19 (2) 2 elected at-large from the portion of the county
20 outside of the City of Chicago to hold office for a term
21 beginning on the first Monday in December of 2010.

22 No later than June 1, 1996, the General Assembly shall
23 establish the boundaries for the 3 election districts in each
24 county with 3,000,000 or more inhabitants. The election
25 districts shall be compact, contiguous, and have substantially
26 the same population based on the 1990 federal decennial census.

1 One district shall be designated as the first election
2 district, one as the second election district, and one as the
3 third election district. The commissioner from each district
4 shall be elected to a term of 4 years.

5 In the year following each federal decennial census, the
6 General Assembly shall reapportion the election districts to
7 reflect the results of the census. The reapportioned districts
8 shall be compact, contiguous, and contain substantially the
9 same population. The commissioner from the first district shall
10 be elected to terms of 4 years, 4 years, and 2 years. The
11 commissioner from the second district shall be elected to terms
12 of 4 years, 2 years, and 4 years. The commissioner from the
13 third district shall be elected to terms of 2 years, 4 years,
14 and 4 years. The 2 commissioners elected at-large from the
15 portion of the county outside of the City of Chicago are
16 elected for one term of 2 years.

17 (d) For terms beginning after the general election in 2012,
18 the board of review consists of 5 commissioners, each elected
19 from one of 5 election districts in the county.

20 No later than April 15 of 2011 and of each year following a
21 federal decennial census, the State Board of Elections, by a
22 record vote of all members, shall designate a computer program
23 to reapportion the 5 election districts in the county to
24 reflect the results of the census. The computer program must
25 comply with the following standards and criteria in the order
26 of priority in which they are listed:

1 (1) contiguity;

2 (2) substantial equality of population;

3 (3) compactness;

4 (4) the minimization of districts that cross municipal
5 boundaries; and

6 (5) a fair reflection of minority voting strength.

7 Except as otherwise provided in this subsection (d), the
8 computer program must reapportion the districts in a random
9 manner. In reapportioning the districts, the computer program
10 may not consider: (i) the residency of incumbent commissioners;
11 (ii) the political affiliations of registered voters; (iii)
12 previous election results; or (iv) any demographic information
13 that is not required to be considered under this Section, under
14 the State or federal constitution, or under federal law.

15 No later than June 1 of 2011 and of each year following a
16 federal decennial census, the State Board of Elections shall
17 certify the reapportionment of the election districts obtained
18 by using the designated computer program. The State Board of
19 Elections shall file the reapportionment with the Secretary of
20 State. Both the designation of the computer program and the
21 certification of the reapportionment by the State Board of
22 Elections shall be performed at an open meeting. The State
23 Board of Elections must give reasonable and adequate notice of
24 those meetings.

25 Beginning in 2012, the terms of the commissioners are as
26 follows:

1 (1) the commissioner from the first district and the
2 commissioner from the fourth district are elected to terms
3 of 4 years, 4 years, and 2 years;

4 (2) the commissioner from the second district and the
5 commissioner from the fifth district are elected to terms
6 of 4 years, 2 years, and 4 years; and

7 (3) the commissioner from the third district is elected
8 to terms of 2 years, 4 years, and 4 years.

9 The commissioners shall hold office for a term beginning on the
10 first Monday in December following their election and until
11 their respective successors are elected and qualified.

12 (e) In case of vacancy, the chief judge of the circuit
13 court or any judge of the circuit court designated by the chief
14 judge shall fill the vacancy by appointment of a person from
15 the same political party. If the vacancy is filled with more
16 than 28 months remaining in the term, the appointed
17 commissioner shall serve until the next general election, at
18 which time a commissioner shall be elected to serve for the
19 remainder of the term. If a vacancy is filled with 28 months or
20 less remaining in the term, the appointment shall be for the
21 remainder of the term. No commissioner may be elected or
22 appointed to the board of review unless he or she has resided
23 in the election district he or she seeks to represent for at
24 least 2 years before the date of the election or appointment.
25 In the election following each federal decennial census and
26 board of review redistricting, a candidate for commissioner may

1 be elected from any election district that contains a part of
2 the election district in which he or she resided at the time of
3 the redistricting and re-elected if a resident of the new
4 district he or she represents for 18 months prior to
5 re-election. The commissioners shall hold no other lucrative
6 public office or public employment.

7 (f) Each commissioner shall receive compensation fixed by
8 the county board, which shall be paid from the county treasury.
9 Compensation for each commissioner shall be equitable and shall
10 not be changed during the term for which that commissioner is
11 elected or appointed. The county shall provide suitable office
12 space for the board of review.

13 (g) For the year beginning on the first Monday in December
14 1998 and ending the first Monday in December 1999, and every
15 fourth year thereafter, the chair of the board shall be the
16 commissioner elected from the first district. For the year
17 beginning the first Monday in December 1999 and ending the
18 first Monday in December 2000, and every fourth year
19 thereafter, the chair of the board shall be the commissioner
20 elected from the second district. For the year beginning the
21 first Monday in December 2000 and ending the first Monday in
22 December 2001, and every fourth year thereafter, the chair
23 shall be the commissioner elected from the third district. For
24 the year beginning the first Monday in December 2001 and ending
25 the first Monday in December 2002, and every fourth year
26 thereafter, the chair of the board shall be determined by lot.

1 (h) On and after the first Monday in December, 1998, any
2 reference in this Code to a board of appeals shall mean the
3 board of review created under this subsection, and any
4 reference to a member of a board of review shall mean a
5 commissioner of a board of review. Whenever it may be necessary
6 for purposes of determining its jurisdiction, the board of
7 review shall be deemed to succeed to the powers and duties of
8 the former board of appeals; provided that the board of review
9 shall also have all of the powers and duties granted to it
10 under this Code. All action of the board of review shall be by
11 a majority vote of its commissioners.

12 (Source: P.A. 93-574, eff. 8-21-03.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.